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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Fletcher et al.  
Serial No. : 09/518,627  
Filed : March 3, 2000  
Title : ADAPTABLE COIN MECHANISM

Art Unit : 2167  
Examiner : F. Bartuska

Commissioner for Patents  
Washington, D.C. 20231

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RESPONSE TO OFFICE ACTION OF FEBRUARY 12, 2002

The Proposed Counts

Applicant submits a clarifying amendment to its proposed counts 1 and 2, and an additional broadening amendment to count 2 as follows:

Proposed Amended Count 1:

A coin mechanism for use in an automatic transaction system, the coin mechanism comprising:

coin tubes for storing respective denominations of coins;  
a dispenser for dispensing coins from the coin tubes; and

a processor that is coupled to the dispenser and that is arranged to be coupled to a controller in the automatic transaction system so as to receive coin dispense signals from the automatic transaction system controller, wherein the processor is configured to accumulate a value corresponding to the received dispense signals and to cause at least one coin to be dispensed from the coin tubes based on the accumulated value.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

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*Paula T. Romeo*

Paula T. Romeo

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Proposed Amended Count 2:

A coin mechanism capable of connection to a controller that is configured to operate in a [three] N coin tube environment, wherein the coin mechanism comprises:

[four] M coin tubes each for storing coins of a respective denomination, where  $M-N=1$ ;

a dispenser for dispensing coins from the coin tubes; and

a processor that is coupled to the dispenser and that is configured to receive coin dispense signals from the controller when connected thereto, and to cause one or more coins to be dispensed from the coin tubes in response to the received dispense signals.

The Proposed Counts Are Patentable Over the British Publication

The Office action states that an interference has not been declared because the statements submitted by the applicant under 37 CFR 1.607(a) and 37 CFR 1.608(b) "are directed to counts that are not patentable." In particular, the Office action states that the proposed counts are not patentable over British Publication 2 269 258. As discussed below, Applicant respectfully disagrees.

The British Publication discloses a coin handling apparatus that includes coin tubes 22, 24, 26 and a dispenser 28 that is operable to dispense coins from the coin tubes. The apparatus includes a microprocessor 50 coupled to input/output circuitry 62 which has an interface to the vending machine. Operation of the apparatus is described as follows:

In operation of the apparatus, the microprocessor 50 successively tests the signals from the validator to determine whether a coin has been inserted in the apparatus. When a credit has been accumulated, the microprocessor also tests signals from the vending machine to determine whether a vending operation has been carried out.

\* \* \*

The microprocessor is thus arranged to . . . deliver signals to the vending machine to permit or prevent vending operations. The microprocessor is also operable to control the dispenser to deliver appropriate amounts of change.

\* \* \*

Assuming that money has been inserted into the machine, and a product has been selected for vending, then the microprocessor performs a routine . . . to calculate the coins to be dispensed.

(British Publication, pp. 12-13) The only signals mentioned in the British Publication that the microprocessor receives from the vending machine are signals indicating whether a vending operation has been carried out.

The proposed counts recite that the processor in the coin mechanism can receive coin dispense signals from a controller in an automatic transaction system, such as a vending machine. In particular, proposed count 1 recites "a processor . . . that is arranged to be coupled to a controller in the automatic transaction system so as to receive coin dispense signals from the automatic transaction system controller, wherein the processor is configured to accumulate a value corresponding to the received dispense signals and to cause at least one coin to be dispensed from the coin tubes based on the accumulated value." Proposed count 2 recites "a processor that is coupled to the dispenser and that is configured to receive coin dispense signals from the controller when connected thereto, and to cause one or more coins to be dispensed from the coin tubes in response to the received dispense signals."

In contrast to the proposed counts, there is no disclosure or suggestion in the British Publication that the coin handling apparatus or the microprocessor in that apparatus receives coin dispense signals from the vending machine or from its controller. According to the British Publication, keeping track of accumulated credit, determining the amount of money to be dispensed and evaluating the different combinations of coins corresponding to that amount are functions performed by the microprocessor in the coin handling apparatus. There is simply no

need for the vending machine disclosed in the British Publication to provide to the coin handling apparatus any indication of the amount of money to be dispensed as change.

Therefore, applicant submits that the proposed counts are patentable over the British Publication.

Two Counts are Proper

The Office action states that there are not two separate patentable inventions to support two counts. As discussed below, Applicant respectfully disagrees.

Proposed count 1 recites that "the processor is configured to accumulate a value corresponding to the received dispense signals and to cause at least one coin to be dispensed from the coin tubes based on the accumulated value." Proposed count 2, in contrast, does not recite that the processor is configured to perform such an accumulation.

On the other hand, proposed count 2 recites a specific relationship between the number of coin tubes in the coin mechanism and the number of coin tubes in the environment in which the controller is configured to operate. Proposed count 1 does not include such a limitation.

In view of the differences between the two counts, applicant submits that two counts are appropriate. The various claims of the pending application and the '186 patent that correspond to the proposed counts were set forth in the papers filed by Applicant on April 24, 2000.

Applicant *Prima Facie* Is Entitled to Judgment Relative to the Patentee of the '186 Patent Even if Claim 19 of that Patent Is the Count

The Office action states that there appears to be no reason why one of the claims of the '186 patent, such as claim 19, could not be the count. Although Applicant maintains that the proposed counts set forth above better distinguish over the prior art, Applicant would be *prima facie* entitled to judgment relative to the patentee of the '186 patent even if claim 19 of that patent were the count.